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Attorney for James Robert LEWIS

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JAMES ROBERT LEWIS,

Defendant.

NO.: CR 12-00322 SBA

**STIPULATION AND PROPOSED
ORDER CONTINUING
STATUS HEARING DATE**

STIPULATION

The parties stipulate as follows:

1. The parties have negotiated a revised Plea Agreement in this matter which has been discussed with Mr. Lewis. It is expected that Mr. Lewis will enter into the revised Plea Agreement and resolve this matter.
2. However, Mr. Lewis received a draft, pre-plea Presentence Report ("PSR") which raised some issues the parties had not envisioned earlier.
3. The parties would like an additional period of time to address the issue raised in the PSR and would respectfully request this matter be continued to Tuesday, October 16, 2012

1 at 9:30 a.m.

2 4. Counsel for the Government has no objection to this matter being continued until October
3 16, 2012 at 9:30 a.m. considering the above circumstance.

4 3. The parties further stipulate and agree that the time between October 12, 2012 and
5 October 16, 2012 should be excluded under the Speedy Trial Act, specifically pursuant to
6 18 U.S.C. § 3161(h)(7)(B)(iv) to allow effective preparation of counsel.

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9 IT IS SO STIPULATED

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11 DATED: October 10, 2012

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12 ANDREW SCOBLE
13 Assistant United States Attorney

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15 DATED: October 10, 2012

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17 JAMES PHILLIP VAUGHNS.
18 Attorney for Defendant LEWIS

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5 UNITED STATES DISTRICT COURT
6 NORTHERN DISTRICT OF CALIFORNIA
7 OAKLAND DIVISION
8
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10 UNITED STATES OF AMERICA,) NO.: CR 12-00322 SBA
11 Plaintiff,)
12 vs.)
13)
14 JAMES ROBERT LEWIS,)
15 Defendant.)
16

ORDER

17 The Court hereby ORDERS that the status hearing scheduled for October 12,
18 2012 be vacated and rescheduled for October 16, 2012, at 9:30 a.m. Time shall be excluded from
19 October 12, 2012 through October 16, 2012 to facilitate the effective preparation of counsel.
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23 DATED: 10/11/12



Hon. KANDICE A. WESTMORE
United States Magistrate Judge